<u>REMARKS</u>

Claims 1-18 of the patent application were presented for examination. In the Office Action of November 15, 2007, claims 1-18 were rejected. The claims, as amended, are listed above. No new matter has been added. Accordingly, claims 1-18 are now pending for examination.

Applicant respectfully requests reconsideration of the pending claims and respond to the Office Action as follows:

<u>Claim Rejections - 35 USC § 112(2)</u>

On page 2 of the Office Action, claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, Examiner states that independent claims 1, 7 and 13 the phrase "the message system" lacks antecedent basis. The remaining claims depend upon rejected claims. In response, Applicant has amended the phrase in each of the claims to recite "the messaging system" which is introduced earlier in the claims by "a messaging system". Applicant kindly requests that the rejections be withdrawn.

<u>Claim Rejections - 35 USC § 112(1)</u>

On page 2 of the Office Action, claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, Examiner alleges that independent claims 1, 7 and 13 recite that the message system is separate from the database, which was not set forth in the original disclosure, and thus, was new matter. In support, Examiner states that FIG. 1 shows a messaging system with a database (e.g., a RDBMS) system inside of the messaging system. The remaining claims dependent upon rejected independent claims. Applicant respectfully disagrees with the rejections as Examiner has apparently interpreted the general computer system 1c as <u>interchangeable</u> with the database system. To the contrary, the computer system 1c <u>includes</u> the database system, as well as the messaging system.

In FIG. 1, three computers systems 1a, 1b, and 1c are illustrated. One of the computers systems 1c is shown in detail. The computer system 1c comprises a messaging system (e.g., a message queue 11), a cache 12, a processor 13, a persistent memory 14, and a database system (e.g., a RDBMS 15). Applicant also points out to Examiner that the two "systems" do not require individual processors, as it is known by those of ordinary skill in the art that a single processor as shown in FIG. 1 can be shared among more than one system, application, or process. Thus, FIG. 1 explicitly contradicts Examiner's assertion by physically separating the messaging system from the database system, consistent with the recitation of the claims.

The written description also includes further instances of the separation of the messaging system and the database system. For example, in describing the independence of the messaging queue from applications such as the database system, the specification states that "[a]pplications can view a message queue simply as a 'black box' in which messages accumulate" and that "[a]pplications have access to message queues by using message queuing API (application program interface) calls…to communicate with the queue manager that is installed on the same system as the application" (p.3 ll. 10-14). Thus, the messaging system is assessable by other applications besides the database application. In another example, the messaging queue 11 is described as being "managed by messaging software [or] a message queue manager (e.g., MQSeries) running on the computer system 1c." Thus, a messaging application controls the messaging queue 11, which contradicts Examiner's assertion of the database system that includes the messaging system.

Finally, the claims-as-filed describe the separation of the messaging system and the database system. According to the MPEP, the claims-as-filed are part of the disclosure for the purpose of written description. For example, claims 1 and 13 recite "a messaging system" and "a database system" as separate claims elements. Furthermore, clam 7 recites a "system" comprising "a messaging program means" and "a database program means." Also recited by

the claims, one or more "functions" from the messaging system are provided in the database system, which is distinct from providing the messaging system itself in the database system.

Therefore, Applicant respectfully submits that the new matter rejections are traversed.

<u>Claim Rejections - 35 USC § 101</u>

On page 3 of the Office Action, claims 1-18 are rejected under 35 U.S.C. 101, because Examiner asserts that the claimed invention is inoperable. Specifically, Examiner states that whereas the message system is separate from the database system in independent claims 1, 7 and 13, there would be no access or communication between the systems, thus disabling any possible messaging functionality in the database system. The remaining claims depend upon the rejected independent claims.

As discussed above, the computer system 1c of FIG. 1 includes the messaging system and the database system. One of ordinary skill in the art would understand that the processor 13 provides access or communication between the message queue 11 and the RDMS 15. Moreover, the components are shown to be coupled in communication by the bidirectional arrows. Thus, Applicant submits that the invention as recited in the claims is operable, and thus, the rejections are traversed.

CONCLUSION

Applicant's attorney believes this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

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